

AMENDED IN SENATE MAY 11, 2006

AMENDED IN SENATE MAY 3, 2006

AMENDED IN SENATE APRIL 24, 2006

AMENDED IN SENATE APRIL 17, 2006

## SENATE BILL

**No. 1508**

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**Introduced by Senator Bowen**

February 23, 2006

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An act to add Section 1367.645 to the Health and Safety Code, and to add Section 10123.831 to the Insurance Code, relating to health care coverage.

### LEGISLATIVE COUNSEL'S DIGEST

SB 1508, as amended, Bowen. Health care coverage: colonoscopies.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Under existing law, a health care service plan and a health insurer, as specified, are deemed to provide coverage for certain medical examinations and tests, including the screening and diagnosis of prostate cancer.

This bill would require a health care service plan and a health insurance policy, as specified, that provides coverage for colonoscopies to cover *general anesthesia services*, subject to utilization review; ~~anesthesia services determined to be medically~~

necessary by the attending physician and surgeon and consistent with recognized standards of patient comfort and safety.

Because the bill would specify an additional requirement for a health care service plan, the willful violation of which would be a crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1367.645 is added to the Health and  
2 Safety Code, to read:

3 1367.645. Every individual or group health care service plan  
4 contract, except a specialized health care service plan contract,  
5 that is issued, amended, renewed, or delivered on or after January  
6 1, 2007, that provides coverage for colonoscopies shall provide  
7 coverage, subject to utilization review, for anesthesia services for  
8 the purpose of colonoscopies, as determined to be medically  
9 necessary by the attending physician and surgeon and consistent  
10 with recognized standards of patient comfort and safety.  
11 *coverage for general anesthesia services administered by an*  
12 *anesthesiologist, nurse anesthetist, or other provider trained in*  
13 *the administration of general anesthesia. The person*  
14 *administering the anesthesia services shall not be involved in the*  
15 *conduct of the surgical or diagnostic procedure.*

16 *The coverage described by this section is subject to utilization*  
17 *review.*

18 SEC. 2. Section 10123.831 is added to the Insurance Code, to  
19 read:

20 10123.831. (a) Every individual or group health insurance  
21 policy that covers hospital, medical, or surgical expenses that is  
22 issued, amended, renewed, or delivered on or after January 1,  
23 2007, that provides coverage for colonoscopies shall provide  
24 coverage, subject to utilization review, for anesthesia services for

1 ~~the purpose of colonoscopies, as determined to be medically~~  
2 ~~necessary by the attending physician and surgeon and consistent~~  
3 ~~with recognized standards of patient comfort and safety.~~

4 ~~(b) coverage for general anesthesia services administered by~~  
5 ~~an anesthesiologist, nurse anesthetist, or other provider trained~~  
6 ~~in the administration of general anesthesia. The person~~  
7 ~~administering the anesthesia services shall not be involved in the~~  
8 ~~conduct of the surgical or diagnostic procedure.~~

9 ~~(b) The coverage described by this section is subject to~~  
10 ~~utilization review.~~

11 ~~(c) This section shall not apply to accident-only, specified~~  
12 ~~disease, hospital indemnity, Medicare, CHAMPUS supplement,~~  
13 ~~dental-only, or vision-only insurance policies.~~

14 SEC. 3. No reimbursement is required by this act pursuant to  
15 Section 6 of Article XIII B of the California Constitution because  
16 the only costs that may be incurred by a local agency or school  
17 district will be incurred because this act creates a new crime or  
18 infraction, eliminates a crime or infraction, or changes the  
19 penalty for a crime or infraction, within the meaning of Section  
20 17556 of the Government Code, or changes the definition of a  
21 crime within the meaning of Section 6 of Article XIII B of the  
22 California Constitution.